

BEFORE THE  
POSTAL REGULATORY COMMISSION  
WASHINGTON, D.C. 20268-0001

Retail Access Optimization Initiative

Docket No. N2011-1

August 30, 2011

**National League of Postmasters  
First Interrogatories and Requests for Production of Documents  
to the United States Postal Service  
(LEAGUE/USPS 1-31)**

Pursuant to Rules 25 through 28 of the Rules of Practice and Procedure, the National League of Postmasters of the United States (LEAGUE) hereby submits the following Interrogatories and Requests for the Production of Documents to be answered by the United States Postal Service.

Pursuant to Rule 25 of the Rules of Practice and Procedure, we are available for informal communication “to clarify questions and to identify portions of discovery requests considered overbroad or burdensome.”

**DEFINITIONS AND INSTRUCTIONS**

**General**

1. Pursuant to Rule 26(f) of the Rules of Practice and Procedure, each of the following discovery requests is continuing in nature and the LEAGUE requests that if the Postal Service obtains any additional responsive information or documents at any later

date, it promptly so inform counsel for the LEAGUE and submit supplemental or amended answers and documents. In responding to the LEAGUE's First Interrogatories and Requests for Production of Documents, the Postal Service must make a diligent search of its records and all other papers and materials that are in its possession.

2. In answering each of the following Interrogatories and Requests, make such inquiry of the Postal Service's principals, agents, servants, employees, attorneys and such other representatives and examine all bills, letters, files, and any other documents or writing which will enable the Postal Service to make complete and true answers to these Interrogatories and Requests.

3. Each paragraph and subparagraph of the following requests shall be construed independently and answered separately, in full, in writing, and in accordance with the definitions below, and no other paragraph or subparagraphs shall be referred to or relied upon for the purpose of limiting the scope of the request. If the Postal Service cannot answer any of the following Interrogatories in full after exercising due diligence to secure the information necessary to do so, please so state and answer to the extent possible, specifying your inability to answer the remainder and stating whatever information or knowledge Postal Service has concerning the unanswered portions.

4. Please designate with particularity which documents are responsive to which Interrogatory (or subsection) or Request.

5. For each response, identify each person who participated in the preparation of the answer or gathering of the documents, and each person responsible

for providing the response who will be able to confirm the response under oath.

6. Each request for a document set forth herein refers to documents in the custody, control, and possession of the Postal Service or known to the Postal Service's counsel, representatives, agents, servants, investigators, and consultants, and unless otherwise privileged, their counsel, employees, representatives, agents, servants, investigators and consultants.

7. All documents, as defined herein, responsive to discovery requests that can be located, discovered, or obtained by reasonably diligent efforts or which you have a legal right to bring within your possession by demand, should be produced.

8. Documents are to be produced in full. Redacted documents will not constitute compliance with this request. If any requested document cannot be produced in full, you are requested to produce it to the extent possible, indicating with particularity which document or portion of that document is being withheld and the reason the document is being withheld.

9. With respect to any of the requested documents, if any such document is unavailable, because it was lost or destroyed by the Postal Service or its agents, or for any other reason, after fully identifying the document, state when and where it was destroyed or is otherwise unavailable, the name and contact information of the person who destroyed it, and the name and contact information of the person(s) who has knowledge of such document.

10. In responding to any Interrogatories or Document Requests that require any calculations, analysis, assumptions, or studies that have been prepared, please provide and identify copies of such calculations, analysis, assumptions, studies and all documents relating thereto.

11. If any information called for by an Interrogatory or Request is not available in the full detail requested, such Interrogatory or Request shall be deemed to require the setting forth of the information related to the subject matter of the request in such detail as is available, including where no specific information is available, identifying and describing the method by which any estimate is made.

12. If data or information is not available in the exact format or level of detail requested, please provide such data or information (1) in a substantially similar format or level of detail or (2) in a format susceptible to being converted to the requested format and level of detail.

### **Objections and Privileges**

13. If the Postal Service objects to any Interrogatory or Request herein on the ground that the information sought is privileged or otherwise non-discoverable, please state the basis for the claim of privilege or other basis of non-discoverability in sufficient detail as to enable the Commission to rule upon the claim of privilege or other basis of non-discoverability.

14. If privilege is claimed pursuant to Rules 26(c), 27(c), or 28(c) with respect to any data, information, or documents requested herein, the Postal Service should

provide a privilege log. If an objection is made to any portion of any interrogatory on the ground that it seeks privileged or otherwise non-discoverable information, state the privilege or other protection asserted, identify all persons to whom the document that is claimed to be non-discoverable have been communicated or displayed, and identify all documents that constitute, contain or reflect such information; and provide a separate list of all asserted privileged documents that identifies the author, recipient date and general subject matter of each document.

15. If you believe that all or part of a response to an Interrogatory or Request for Production would invade any privilege, which you desire to assert, you shall nonetheless respond to each part of the Interrogatory or Request, which does not invade the asserted privilege. As to each part for which privilege is claimed, you shall state the basis for the asserted privilege and provide sufficient information to fairly apprise the LEAGUE and the Commission of the nature and extent of the privilege asserted.

16. If an objection is made to only a part of a discovery request, please answer the remainder of the discovery request. For those portions of any Interrogatory to which an objection is raised, or which a complete answer is otherwise refused, state each reason for the objection or declination.

17. If an objection is made to an Interrogatory on the ground that it is too broad, provide all information determined by the Postal Service to be discoverable.

18. If an objection is made to an Interrogatory or Request on the ground that

to provide the requested discovery would constitute an undue burden, provide all requested documents that can be supplied without undertaking what is claimed an undue burden.

### **Definitions**

19. The term "Postal Service" includes all agents, employees, officers, directors, attorneys, representatives, and anyone acting on its behalf, as well as the Board of Governors, contractors, subcontractors to the Postal Service, and the Postal Service Office of Inspector General.

20. The terms "you" and "your" shall mean and include the Postal Service, as defined above.

21. The term "person" means any natural person, company, corporation, association partnership, proprietorship, organization or group of natural individuals, cooperative or other entity.

22. The terms "document" or "documents" are synonymous in meaning and include without limitation all writings of any kind in any way relating or referring to or concerning the subject matter of the request, in the form of the original and all non-identical copies (whether different from the originals because of any alterations, notes, comments, or other material contained thereon or attached or otherwise) of any: correspondence, letters, emails, notes, spreadsheets (with underlying formulas for each cell), memorandum, directives, interoffice and intra-office communications, reports, studies, minutes of meetings or telephone conversations, contracts, diary entries,

schedules, presentations, computer print outs, speeches, testimonies, pamphlets, books, charts, diagrams, drawings, photographs, microfiche, microfilm, videos, tapes, cassettes, computer-store data, tabulations, compilation, statistics, drafts, recordings, bulletins, computer printouts, teletype, faxes, worksheets, summaries, notations of any sort of conversations, communications or meetings, and other writing or retrievable data or whatever kind or nature to which the Postal Service has or has had access to, regardless of origin or location, hardcopy or electronic, handwritten or typed, and all drafts, alterations, modifications changes and amendments of any kind to the foregoing. Documents should be produced in the way they are maintained.

23. The term "all documents" means every document as above defined known to the Postal Service and every such document which can be located or discovered by reasonably diligent efforts.

24. The term "describe" means to detail in full, with specificity, the event or situation at issue.

25. The term "identify," (1) when used with regard to an individual person, means to provide the full name, contact information and position of the person; (2) when used with regard to a non-natural person, means to state the name and contact information of the officer, employee or agent who has the most knowledge of the subject matter of the request; and (3) when used with regard to a document means to describe the subject matter of the document, its author, the date, and any intended recipients.

26. The term "communication(s)" means the transmittal of information by any

means and includes communications or any kind, whether written, oral, electronic, or other.

27. The terms “and” and “or” shall be construed either disjunctively or conjunctively or both, as necessary to bring within the scope of the LEAGUE’s First Interrogatories and Request for Production of Documents any documents or information that might otherwise be construed to be outside its scope.

28. The use of the singular form of any word includes the plural and vice versa.

29. Unless otherwise noted, all postal related terms have the definitions of the current version of the Postal Service's Publication 32 - Glossary of Postal Terms.

30. As to any additional definition which you feel necessary to aid you in answering an Interrogatory or complying with any Request here, apply that definition which you believe to be either the most common or most accurate and state that definition in your response to each such Interrogatory or Request.



Respectfully submitted this 30<sup>th</sup> day of August, 2011.

/s/ Robert J. Brinkman

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**LEAGUE/USPS-1:** The testimony of Mr. Boldt, submitted by the Postal Service, refers to “earned workload” for Post Offices (see, e.g., page 3).

[a] Please provide the formula used to calculate earned hours.

[b] On what date(s) were the productivities determined for this formula?

[c] Has mail make-up changed since this productivity was determined?

[d] The letter and flat productivities within SOV seem to be higher are actually higher then MPLSM and FSM productivities which were used in the past. Does that mean that the Postal Service has set manual productivities higher then multiple position sorting machines in both flats and letters? Please explain how that is possible.

[e] The Postal Service has used the same formula to create the list of offices to be reviewed. Please provide the rolling 52 weeks of earned hours as well as total revenue for all A-E and Level 11 offices in Delaware and Maine.

**LEAGUE/USPS-2:** In reference to the Revenue formulae which drive earned hours for the window in a non-POS environment, what year were these formulae updated, specifically the 5 dollars per transaction? Have the dollars per transaction changed over the past few years? When was the last time that this figure was validated with any actual retail studies, or was that dollar amount ever validated, and, if so, in what manner?

**LEAGUE/USPS-3:** Two years ago the Postal Service increased the SOV/CSV productivity up by 10% even after the Postmaster Organizations gave good argument that the formulae were already too high and falsely inflated due to Postmasters' time not being accounted for (but the Postal Service increased it anyway). Would this adversely impact the list of offices to be reviewed, and if so, how?

**LEAGUE/USPS-4:** Please provide the EFMS data used to determine proximity of the closest office. Please explain how that data was derived. Is it actual road miles or the map distance?

**LEAGUE/USPS-5:** Please identify all persons who assisted in preparing the Direct Testimony of James J. Boldt.

**LEAGUE/USPS-6:** At the time Mr. Boldt's written testimony was prepared, is it correct that he had only been the National Manager, Customer Service Operations for three months or less?

**LEAGUE/USPS-7:** For Mr. Boldt's two Postmaster assignments, did customers at those Post Offices require any postal services beyond purchasing stamps and sending Priority Mail? If so, please list the full range of postal services those customers wanted or needed.

**LEAGUE/USPS-8:** Mr. Boldt's current job responsibilities include developing policies and procedures related to "the improvement of the customer experience when doing business with the Postal Service." (Boldt Direct Testimony at i).

[a] How will closing a substantial number of small rural Post Offices help improve the customer experience? Identify the ways closing such Post Offices will improve the customer experience.

[b] How will closing a substantial number of urban and suburban Post Offices help improve the customer experience? Identify the ways closing such Post Offices will improve the customer experience.

**LEAGUE/USPS-9:** Please provide a complete list of all services available at major, big-city Post Offices.

**LEAGUE/USPS-10:** Please provide a complete list of all services which will be available at Village Post Offices.

**LEAGUE/USPS-11:** Were the Postal Service to "provide a maximum degree of effective and regular postal services to rural areas, communities, and small towns," what services would that include?

**LEAGUE/USPS-12:** Please identify all directives or guidance provided to field managers which offered encouragement or incentives to close or consolidate Post Offices from 2000 forward.

**LEAGUE/USPS-13:** Prior to the Retail Access Optimization Initiative, did the Postal Service ever make a determination or have any plan to close Post Offices on a nationwide basis? For each such plan or determination, please provide all identifying information.

**LEAGUE/USPS-14:** Please define a "Post Office," and distinguish from a "station" or "branch." Please state the legal, operational, service, and management distinctions between a "Post Office," and a "station" or "branch."

**LEAGUE/USPS-15:** Please identify in full, or provide all correspondence this year from Postal Service officials on Postal Service letterhead to any Member of Congress which concern or relate to Post Office closings or consolidations.

**LEAGUE/USPS-16:** Please identify in full, or provide, all emails sent from postal computers (excluding incidental personal use) this year from Postal Service officials to Members of Congress which concern or relate to Post Office closings or consolidations.

**LEAGUE/USPS-17:** Please provide all data or studies supporting the assertion that "it is likely that these customers already travel outside their local community to purchase other goods and services and conduct other activities of daily living." (Direct Testimony of Boldt at Page 12, Lines 3-5.)

**LEAGUE/USPS-18:** If all 3,650 Post Offices subject to the Retail Access Optimization Initiative had been closed in 2010, what percentage reduction would have been made in the Postal Service's total operating costs for that year?

**LEAGUE/USPS-19:** Please define "senior management" as that phrase is used in Mr. Boldt's Direct Testimony at Page 13, Line 17. Please identify all managers considered to be "senior management".

**LEAGUE/USPS-20:** Why did the Postal Service determine to "consult" with the Postmaster organizations after its Proposed Rule and handbooks regarding the discontinuance process had been drafted, rather than before?

**LEAGUE/USPS-21:** Please list all circumstances or criteria which would make a community meeting "infeasible", as that term is used at Page 19, Footnote 17, of the Direct Testimony of Mr. Boldt.

**LEAGUE/USPS-22:** What instructions or directions have been given to Postmasters regarding their personal involvement in interacting with their communities in connection with the discontinuance process?

**LEAGUE/USPS-23:** Does the table on Page 22 of Mr. Boldt's Direct Testimony indicate that District Review and Headquarters Review of the determination to close a Post Office will take one day each? If not, what does the table mean?

**LEAGUE/USPS-24:** Does the Postal Service have any reason to believe that private businesses would not consider the absence of a Post Office in a community as

important in deciding whether to locate in that community? If so, please provide the basis for that belief.

**LEAGUE/USPS-25:** For the Years 1976-2006, please identify any data the Postal Service has regarding political entities (towns, cities, or incorporated or unincorporated entities) which ceased to exist following the closing of their Post Office.

**LEAGUE/USPS-26:** Will a "Village Post Office" have a Village Postmaster?

**LEAGUE/USPS-27:** Please provide the earned hour report for each level E and under Post Office in Delaware.

**LEAGUE/USPS-28:** The Postmaster General has been quoted as stating that up to half of the current Post Offices may be reviewed for closing within the coming seven years. Does the Postal Service's Request for an Advisory Opinion apply only to the 3,650 Post Offices currently in the Retail Access Optimization Initiative, or for all Post Offices to be considered for closure or consolidation in the next seven years?

**LEAGUE/USPS-29:** Of the 260 Post Offices, stations, and branches currently undergoing discontinuance review (Boldt Direct Testimony at Page 16), how many have had maintenance orders, other support orders, or stamp or retail orders cut off?

**LEAGUE/USPS-30:** How far away from a community which is losing its Post Office may a so-called "community meeting" be held? When a "community meeting" is

to be held other than in the affected community, what provision is made for input by the elderly, handicapped, and other immobile population? What is the rationale which allows a "community meeting" to be held other than in the involved community?

**LEAGUE/USPS-31:** The new Handbook 101, part 251.1, states: "Be sure to schedule the meeting at a time that encourages customer participation, such as during an evening or weekend." Explain why Districts are scheduling meetings in the middle of the day, even when this provision has been brought to their attention by the LEAGUE.